

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7796

BILL NUMBER: SB 438

NOTE PREPARED: Apr 8, 2003

BILL AMENDED: Apr 8, 2003

SUBJECT: Underground Plant Protection Service.

FIRST AUTHOR: Sen. Hershman

FIRST SPONSOR: Rep. Kuzman

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) This bill requires the operator of an underground utility facility located in Indiana to become a member of the Indiana Underground Plant Protection Service (IUPPS) not later than September 1, 2004 if the articles of incorporation or the bylaws of the IUPPS impose certain membership and voting requirements on the IUPPS's board of directors. The bill requires the IUPPS to: (1) record with county recorders the location of all of its members' underground facilities; and (2) receive notice of excavation or demolition projects potentially affecting its members' underground facilities. It also requires county recorders to refer to the IUPPS any person seeking to provide notice of an excavation or a demolition project that may affect underground utility facilities.

Effective Date: July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) *Municipal Utilities:* Municipally owned utilities with underground facilities would be subject to the provisions in this bill beginning September 1, 2004 if the organization of the Indiana Underground Plant Protection Service (IUPPS) meets the conditions described in the bill.

County Recorders: The provisions in this bill are not expected to have a significant impact on the administrative burden of county recorders' offices.

Background Information: This bill would require operators of underground utility facilities to become members of IUPPS if the Service meets certain conditions. The nonprofit service is administered by member operators of underground utility facilities and acts as a notification clearinghouse between excavators and member underground facility operators. Approximately 275 utility services operating in Indiana are members of the IUPPS.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Municipally owned utilities; County recorders.

Information Sources: Indiana Underground Plant Protection Service, www.iupps.org.

Fiscal Analyst: John Parkey, 317-232-9854